

MINUTES OF THE MEETING OF THE
BAR-BENCH-MEDIA CONFERENCE

A meeting of the Bar-Bench-Media Conference was held on Wednesday, October 15, 2003 at 12:30 p.m. The members of the Conference participating were:

Members from the Electronic News Media

Chris Carl

John Dearing (by telephone)

Members of the Print News Media

Rita Farrell

Mike Pelrine

John Taylor

Members from the Bench

President Judge Henry duPont Ridgely (by telephone)

Chief Judge Chandlee Johnson Kuhn

Judge John K. Welch

Judge Thomas L. Ambro

Members from the Bar

Eugene H. Bayard, Esquire (by telephone)

Don C. Brown, Esquire

Kathleen Jennings-Hostetter, Esquire

Two new members of the Conference were welcomed by the Chair. The new members are Chief Judge Chandlee Johnson Kuhn of the Family Court and John Dearing, News Director from WBOC-TV.

The first agenda item was the approval of the draft minutes from the March 12, 2003 and June 18, 2003 meetings of the Conference. Upon motion which was duly seconded, the minutes were unanimously approved. The June 18 minutes were

amended to correct the adjournment time.

The first agenda item under Old Business was the Proposed Administrative Directive/Rule for Expanded Media Coverage. Chris Carl stated that he had received a fax (copy attached) from Chief Justice Veasey concerning the status of the proposal. The Chief Justice wrote that the Court was in the process of preparing a response and a draft Administrative Directive to discuss with the Conference. Justice Holland and Justice Jacobs will be contacting the Conference about the draft prior to the next Conference meeting.

The second agenda items under Old Business was the Bar Bench Media Dinner with Panel Discussion. The Dinner Committee has not met but will meet prior to the next meeting. The Committee will have a list of proposed topics to discuss at the next meeting and welcomed suggestions as to proposed topics from Conference members.

The third agenda item under Old Business was the issue of Closed Court Hearings. Rita Farrell made a motion for the Bar members of the Conference to draft a letter listing the legal standards that must be met before a courtroom is closed or documents sealed. After approval by the Conference, the letter would be submitted to the Delaware Judiciary. The motion was tabled after discussion. The discussion concerned the reasons for sealing records and the discretion that judges have to seal records. Rita said that there appears to be a widespread practice in the Court of Chancery of sealing documents and records without the Court supplying reasons for

the sealing. The Conference members thought that an educational seminar with Richard G. Elliott, Jr., Esquire of Richards, Layton & Finger concerning the sealing of records and confidentiality would be helpful. John Taylor said that he would contact Mr. Elliott about conducting an informational session at the next Conference meeting.

The Chair reported that he had not been able to talk with Mike Houghton about the new rules for the Technology Court in the Court of Chancery. The Chair also noted that he was speaking to Dawn Mitchell of WMBT about becoming a member of the Conference.

The next agenda item was New Business. There was no new business.

The final agenda item was the scheduling of the next Conference meeting. It was tentatively decided to meet on Wednesday, December 10, 2003 at 12:30 p.m. in the Conference Room in the New Castle County Courthouse, 12th floor, 500 N. King Street, Wilmington, DE 19801. Lunch will be provided. John Taylor will try to arrange for Mr. Elliott to speak at this meeting.

The meeting adjourned at 1:30 p.m.

Respectfully Submitted,

November 19, 2003